

CRM 3819 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dhaniakhali Police Station Case No.145 of 2020 dated 25-11-2020 under Sections 498A/302 of the Indian Penal Code.

- A n d -

In the matter of : Pratap Malik

.... Petitioner.

Mr. Uday Sankar Chattopadhyay,
Mr. Santanu Maji,
Ms. Snigdha Saha

... For the Petitioner.

Mr. Saswata Gopal Mukherje, learned PP,
Ms. Faria Hossain,
Mr. Aniket Mitra

... For the State.

The petitioner is the husband of the victim who died due to burn injuries about eleven years after marriage. It is submitted on behalf of the petitioner that the petitioner is in custody for about 261 days and is innocent.

The State opposes the prayer for bail and refers to material in the Case Diary. We are told that charge-sheet has been submitted.

We have considered the material in the Case Diary. The petitioner is in custody for a considerable period of time and charge-sheet has been submitted upon completion of investigation. There is no statement of the victim or any eyewitness implicating the petitioner in the alleged offence.

Having regard to the nature and gravity of the allegations, material in the Case Diary as well as the facts and circumstances of the case we are inclined to hold that further detention of the petitioner is not necessary.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Chief Judicial Magistrate, Hooghly. The petitioner shall appear before the trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever. The petitioner shall remain within the jurisdiction of the local police station and shall report to the Officer-in-Charge of the said police station once every fortnight.

In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail being CRM 3819 of 2021 is, thus, **allowed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(**Suvra Ghosh, J.**)

(**Arijit Banerjee, J.**)